

11074

AGREEMENT

This Agreement made this 30th day of October, 2002, by and between Connecticut Avenue CVS, t/a CVS Store No. 2014 ("CVS") and Advisory Neighborhood Commission 3/4G ("ANC").

WHEREAS, CVS holds a Retail Class B license issued by the District of Columbia Alcoholic Beverage Control Board ("ABC Board") for its store at 5011-13 Connecticut Avenue, N.W.; and

WHEREAS, CVS has applied to the ABC Board to renew its Retail Class B license in Case No. 11076-02/118P; and

WHEREAS, the CVS Store at 5011-13 Connecticut Avenue, N.W., is located within the boundaries of the ANC; and

WHEREAS, the ANC has protested the renewal of the CVS Retail Class B license due to negative impacts on the community; and

WHEREAS, CVS and the ANC desire to resolve any adverse impacts of its Retail Class B license as set forth in this Agreement.

NOW THEREFORE, in consideration of the recitals set forth above and the mutual promises set forth herein, and for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. CVS will participate in community affairs by attending an ANC meeting at least once every six months;
2. Upon execution of this Agreement by the parties, and for as long as CVS has control over the store at 5011-13 Connecticut Ave., N.W., CVS shall, at least twice a week, begin cleaning and maintaining in a neat and orderly appearance the exterior areas of its store, including the associated parking areas under its control. CVS shall also clean and maintain the exterior areas associated with the store under its control, including the associated parking areas, at 5550 Connecticut Avenue, N.W., Washington, D.C.
3. CVS shall post written notice inside its store at 5011-13 Connecticut Avenue, N.W., advising patrons that the store is being cleaned and maintained as a result of a voluntary agreement with the Chevy Chase ANC to obtain support for renewal of its Retail Class B license.
4. Upon execution of the Agreement by both parties, and for as long as CVS has control over the stores at 5011-13 and 5550 Connecticut Avenue, N.W., CVS shall begin cleaning and maintaining in a neat and orderly appearance the areas around its dumpsters at its stores located at 5011 and 5550 Connecticut Avenue, N.W., with all trash and debris placed in

the dumpsters. The covers to the dumpsters shall be secured in a closed position when not in use. CVS shall direct its trash removal service not to empty the dumpster earlier than 7:00 a.m.

5. CVS shall post notice inside the 5011-13 and 5550 Connecticut Avenue stores advising patrons of the name of its trash removal service and the times at which trash is removed.

6. Upon execution of this Agreement by both parties, the ANC shall withdraw its protest of the renewal of CVS's Retail Class B license for 5011-13 Connecticut Avenue, N.W.

IN WITNESS WHEREOF, the parties hereto have signed and delivered these presents as their own free act and deed as of the day and year first written above.

CONNECTICUT AVENUE CVS, INC.,
t/a CVS Store No. 2014

By: 

Its: District Sales Mgr.

ADVISORY NEIGHBORHOOD COMMISSION 3/4G

By: 

Its: Chairperson

#1130219 v1 - cvs agmt with anc 3/4g

WAS1 #1130219 v1

**BEFORE
THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD**

In the Matter of:

Connecticut Avenue CVS, Inc.
t/a CVS Pharmacy #2104

Application for a Retailer's Class
CR License (renewal)
at premises
5011-13 Connecticut Avenue, N.W.
Washington, D.C.

Application no. 11079-02/118P
2002-273

Anne Mohnkern Renshaw, Chairperson, on behalf of the Advisory Neighborhood
Commission 3G, Protestant

Mary Carolyn Brown, Esquire, on behalf of the Applicant

BEFORE: Roderic L. Woodson, Esquire, Chair
Vera Abbott, Member
Charles Burger, Member
Laurie Collins, Member
Judy Moy, Member
Ellen Oppen-Weiner, Esquire, Member
Audrey Thompson, Member

**ORDER ON WITHDRAWN PROTEST
AND VOLUNTARY AGREEMENT**

The application, having been protested, came before the Board on September 18, 2002 in accordance with the D.C. Official Code Section 601 (2000 Edition). Anne Mohnkern Renshaw, Chairperson, on behalf of the Advisory Neighborhood Commission 3G, filed a timely protest by letter dated July 24, 2002.

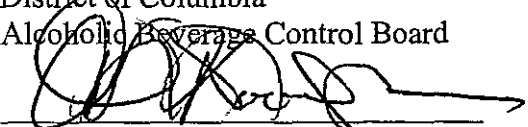
The official records of the Board reflect that the parties have reached an agreement that has been reduced to writing and has been properly executed and filed with the Board. Pursuant to the agreement, dated October 30, 2002, the protestant has agreed to withdraw the opposition, provided, however, the Board's approval of the pending application is conditioned upon the licensee's continuing compliance with the terms of the agreement.

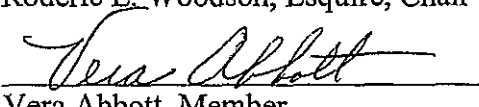
Connecticut Avenue CVS, Inc.
t/a CVS Pharmacy #2104
Page two

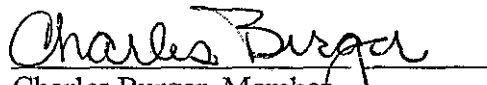
Accordingly, it is this 4th day of December November 2002, **ORDERED** that:

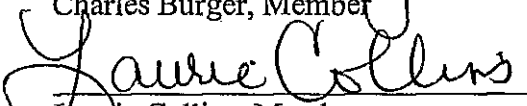
1. The opposition of Anne Mohnkern Renshaw, Chairperson, on behalf of the Advisory Neighborhood Commission 3G, is **WITHDRAWN**;
2. The application of Connecticut Avenue CVS, Inc. t/a CVS Pharmacy #2104 for a retailer's class B license (renewal) located at 5011 Connecticut Avenue, N.W., Washington, D.C. is **GRANTED**;
3. The above-referenced agreement between the parties is **INCORPORATED** as part of this Order; and
4. Copies of this Order shall be sent to the Protestant and the Attorney for the Applicant.

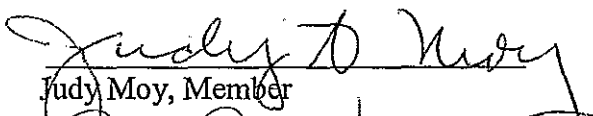
District of Columbia
Alcoholic Beverage Control Board

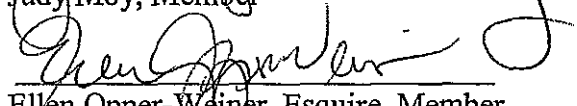

Roderic L. Woodson, Esquire, Chair

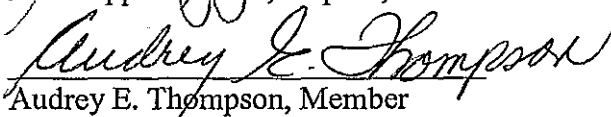

Vera Abbott, Member


Charles Burger, Member


Laurie Collins, Member


Judy Moy, Member


Ellen Oppenheimer, Esquire, Member


Audrey E. Thompson, Member